



Street Offences Act 1959

1959 CHAPTER 57

3 Punishment of offences in connection with night cafes.

- (1) The following provisions of this section shall have effect in relation to the punishment of offences to which section twenty-six of the Licensing Act, 1949, applies (being certain offences in connection with refreshment houses, that is to say, houses, rooms, shops or buildings kept open for public refreshment, resort and entertainment between ten o'clock at night and five o'clock on the following morning, not being licensed for the sale of beer, cider, wine or spirits).
- (2) The maximum fines which may be imposed by virtue of subsection (3) of the said section twenty-six for offences against sections eighteen and thirty-two of the Refreshment Houses Act, 1860 (which provide for penalties for obstructing the police from entering refreshment houses, for allowing unlawful gaming therein, for allowing prostitutes, thieves or disorderly or drunken persons to be therein and for permitting contraventions of licences under that Act), shall be—
 - (a) in the case of a person not previously convicted of an offence to which the said section twenty-six applies, twenty pounds (instead of five pounds); and
 - (b) in the case of a person previously convicted as aforesaid, fifty pounds (instead of twenty pounds).
- (3) In section nine of the said Act of 1860 (which imposes a penalty of twenty pounds for keeping an unlicensed refreshment house) for the words " shall forfeit a sum not exceeding twenty pounds " there shall be substituted the words " shall be liable on summary conviction to the penalties provided by section twenty-six of the Licensing Act, 1949 ", and subsection (3) of the said section twenty-six, as amended by subsection (2) of this section, shall apply, so far as it relates to fines, in relation to the said section nine as it applies in relation to sections eighteen and thirty-two of the said Act of 1860; and accordingly in subsection (1) of the said section twenty-six for the words " is adjudged liable to forfeit any sum " there shall be substituted the words " is convicted ".
- (4) The powers conferred by subsections (1) and (2) of the said section twenty-six to make on a person's conviction of an offence under the said section nine of the said Act of 1860 a disqualification order or an order for the forfeiture of a licence under the said Act of 1860, and the powers conferred by subsection (3) of the said section twenty-

Status: This is the original version (as it was originally enacted).

six to make such an order on a person's conviction of an offence under the said section eighteen or thirty-two of the said Act of 1860, shall be exercisable on a conviction, whether or not the person convicted has been previously convicted of an offence to which the said section twenty-six applies; and any power to make such an order under the said subsection (3) as so amended shall be exercisable also on a person's conviction of any of the other offences to which the said section twenty-six applies, that is to say, certain offences by a person keeping a refreshment house against section one hundred and twenty and subsection (3) of section one hundred and forty-nine of the Licensing Act, 1953 (which relate to the sale of intoxicating liquor without a licence, and to the consumption of intoxicating liquor at parties organised for gain).

- (5) This section shall not have effect on a person's conviction of an offence committed before the commencement of this Act.